

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
SHAYEH DOV,

Petitioner,

-against-

BUREAU OF PRISONS,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/17/2020

20 Civ. 4343 (AT)

ORDER

ANALISA TORRES, District Judge:

On June 9, 2020, the Court set a briefing schedule on this petition for habeas corpus, and directed Petitioner to serve his petition and the scheduling order on Respondent by June 10, 2020. ECF No. 6. On June 15, 2020, Petitioner's counsel filed an "affirmation of service" indicating that on June 9, 2020, he sent the required documents to three email addresses associated with the Bureau of Prisons. ECF No. 6.

Rule 4(i)(2) of the Federal Rules of Civil Procedure provides, in part, that "[t]o serve a United States agency or corporation . . . a party must serve the United States" Rule 4(i)(1) sets out the procedure for service on the United States, and one of its requirements is that a party "deliver a copy of the summons and of the complaint to the United States attorney for the district where the action is brought—or to an assistant United States attorney or clerical employee whom the United States attorney designates in a writing filed with the court clerk." It does not appear that Petitioner complied with those requirements, and as a result it is not clear if counsel for Respondent has been made aware of this action. Respondent did not file a response to the petition by June 16, 2020, as the Court's order required.

Given the urgent nature of Petitioner's allegations, and the importance of the Court's hearing Respondent's position, it is ORDERED that:

1. By **June 18, 2020**:

- a. Petitioner shall serve (A) a copy of the petition, (B) a copy of the Court's June 9 order, and (C) a copy of this order on the United States Attorney's office for this district, following the procedures for accepting service of process used by that office, and
- b. Petitioner shall contact the United States Attorney's office by telephone to inform the office of this action.

2. By **June 19, 2020**, Petitioner shall file proof of service on the docket.

3. By **June 24, 2020**, Respondent shall file a response to the petition.

4. By **June 26, 2020**, Petitioner may file a reply.

SO ORDERED.

Dated: June 17, 2020
New York, New York


ANALISA TORRES
United States District Judge